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17 IN THE UNITED STATES DISTRICT COURT
18 FOR THE EASTERN DISTRICT OF CALIFORNIA
19 SACRAMENTO DIVISION

20 JOHANNA DICKERSON,) Case No. 2:03-CV-01972-CMK
21 Plaintiff,)
22 vs.) STIPULATION AND ORDER
23 JO ANNE B. BARNHART,)
24 Commissioner of Social)
25 Security,)
26 Defendant.)
27 _____)

28 The parties hereby stipulate by counsel, with the Court's
1 approval as indicated by issuance of the attached Order, that
2 the Commissioner has agreed to a voluntary remand of this case
3 pursuant to sentence four of 42 U.S.C. § 405(g) for further
4 proceedings. The matter will be remanded to a new
5 Administrative Law Judge (ALJ). On remand, the ALJ will be
6 directed to 1) further evaluate Plaintiff's credibility and the
7 lay witness statements pursuant to SSR 96-7p; 2) further
8 address the opinion of Plaintiff's treating physician, Donald

1 Powell, M.D.; and 3) reevaluate Plaintiff's residual functional
2 capacity and provide explanation for same pursuant to SSR 96-8p.

3 It is further stipulated that the administrative decision
4 giving rise to this action is vacated and that the Clerk of this
5 Court shall be directed to enter a separate judgment herein, as
6 provided for under Rules 58 and 79(a) of the Federal Rules of
7 Civil Procedure, pursuant to Shalala v. Schaefer, 509 U.S. 292,
8 113 S. Ct. 2625 (1993).

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/s/ Harvey P. Sackett
(As authorized on August 16, 2006)
HARVEY P. SACKETT
Attorney at Law

Attorney for Plaintiff

McGREGOR W. SCOTT
United States Attorney
BOBBIE J. MONTOYA
Assistant U.S. Attorney

By: /s/ Bobbie J. Montoya for
(As signed on August 16, 2006)

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Attorneys for Defendant

OF COUNSEL:
LUCILLE GONZALES MEIS
CHIEF COUNSEL, REGION IX
UNITED STATES SOCIAL SECURITY ADMINISTRATION

ORDER

APPROVED AND SO ORDERED.

DATED: August 28, 2006.

CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE